

Information for Employers Who Offer Work that a Claimant Refuses

UNEMPLOYMENT INSURANCE AGENCY

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When an Employer Offers “Suitable Work,” the Claimant Can Lose Unemployment Benefits if He/She Refuses It.

What is “suitable work?”

Before the claimant has received 50% of his/her benefits on an unemployment claim, the claimant must accept a job that pays at least 70% of his or her gross wage before becoming unemployed. In addition to wages, other factors considered in determining suitability of a job are:

- Degree of risk to the claimant’s health, safety, and morals
- Claimant’s physical fitness for the job
- Claimant’s prior training and work experience
- Length of the claimant’s unemployment
- Claimant’s prospects for securing work in his/her customary occupation
- Distance of work from the claimant’s residence (taking into account the claimant’s age and health, time of day of travel, travel time and traffic conditions, and availability of a means of transportation).

After the claimant has received 50% of his/her benefits on a claim, the claimant must accept a job even if it is outside of his or her past training and experience, if it pays at least the state minimum hourly wage of \$7.40 an hour; if it pays at least the average wage in the locality for that kind of work; and if it pays at least 120% of the claimant’s weekly unemployment benefit amount. The other factors in determining suitability, listed above, are also still taken into account.

What an Employer Should Do

The employer should communicate the offer of suitable work to a specific worker, with specific details about the job. Providing a “sign up” sheet for workers to use in responding to a generalized offer will not suffice.

If a worker refuses an offer of work, the employer should notify the UIA of the refusal (in writing to P.O. Box 169 Grand Rapids, MI 49501-0169 or Fax: 1-517-636-0427) and provide the following:

- A copy of the offer, including specifics on who offered it and how it was communicated to the claimant (e.g. verbal, written, posted, personally delivered).
- If applicable, how the work that was offered compares to work previously performed for the employer by the claimant
- Reason given by the claimant for refusing the work that was offered.

Sometimes a claimant will have “good cause” for refusing work and will not be “disqualified” for the refusal, but will be held “ineligible” indefinitely because the reason shows that the worker is unable to work or unavailable for work.

What Action will UIA take?

The UIA will use the employer’s information to ask questions of the claimant about the offer, and about why he or she refused the work. If the claimant cannot show good cause for refusing an offer of suitable work, the UIA will suspend benefit payments for 13 weeks, and reduce the claimant’s balance of weeks of benefits by 13 weeks (or the number of weeks remaining on the claim, if fewer than 13). Also, if the claimant explained to the employer or to the UIA that he/she turned down work because he/she did not wish to jeopardize or reduce his/her unemployment benefits, the UIA will adjudicate the issue of “lost earnings” and will consider earnings that were turned down as if they had actually been earned. The “lost earnings” will be used to reduce unemployment benefits for the week involved.

For further information about how employers can notify the UIA about a worker’s refusal of an offer of suitable work, call UIA’s **Office of Employer Ombudsman (OEO)**, 1-855-484-2636 (1-855-4-UIAEO) or 313-456-2300, or email OEO@michigan.gov.

LARA is an equal opportunity employer/program. Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.



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